

**GOVERNMENT OF ANDHRA PRADESH
ABSTRACT**

Public Services - Commercial Taxes Department - Surprise check conducted by ACB on Border Check Post of Commercial Taxes, Cattle Farm, Palamaner, Chittoor District on 18-10-2008 - Departmental action - Enquiry - Action against Sri A. Subramanyam, Junior Assistant, O/o Commercial Tax Officer-II, Tirupathi, Chittoor District (now Retd.,) - Imposing punishment of 10% cut in pension for one year under Rule 9 of A.P.Revised Pension Rules, 1980 - Orders - Issued.

REVENUE (VIGILANCE.II) DEPARTMENT

G.O.Rt.No.986

Dated:11-11-2014

Read the following :

1. From DG, ACB, Lr.No.67/DES-TCT/2008, dt.25-02-2009.
2. From the Dy. Commissioner (Commercial Taxes), Chittoor Division, Rc.B1/672/2008, dt.29.6.2009 (AOC).
3. Representation of Sri A.Subrahmanyam, Jr.Asst, O/o.CTO -II, Tirupathi, Chittoor District dt.18-09-2009 (WSD)
4. From Dy.Commissioner (Commercial Taxes), Chittoor Division, Rc.B1/672/2008, dt.23.1.2010.
5. From CTO-II, Nandyal, Kurnool Division Rc.No.A1/51/ 2011, dt:29.08.2011 (Inquiry Report).
6. From Dy.Commissioner (Commercial Taxes), Chittoor Division, Rc.B1/672/2008, dt.15.11.2011.
7. Representation / explanation of Sri A. Subramanyam, Jr. Asst., to disagreement factors.
8. From the Commissioner of Commercial Taxes, A.P, Hyderabad, letter No.V2/824/2009, dt.29.4.2013.
9. Govt.Memo No.10509/Vig.I(2)/09-9, dt.12-3-2014(SCN)
10. Representation of Sri A. Subramanyam, Jr. Asst., (CT), (now Retd.,) dated 12-05-2014.
11. Govt.Letter No.10509/Vig.II(3)/2009, dt.15-09-2014.
12. From the Secretary, A.P. Public Service Commission, Letter No. 1123/RT/3/2014, dated 29-10-2014.

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O R D E R:

Whereas in the reference 1st read above, it has been brought to the notice of the Government that the ACB officials, Tirupathi Range have conducted surprise check on the Border Check Post of Commercial Taxes, Cattle Farm, Palamaner, Chittoor District by ACB on 18-10-2008 on the allegations that the staff working in the Check Post are indulging in corrupt practices and found certain irregularities.

2. And whereas as per instructions issued by Government in memo dated 16-05-2009, the Disciplinary Authority i.e., the Deputy Commissioner (Commercial Taxes), Chittoor has initiated disciplinary action against the charged officer along with others. The following charge was framed against Sri A.Subramanyam, Junior Assistant (Charged Officer-3) O/o.CTO, Tirupathi-II Circle vide reference 2nd read above :

Charge:Sri A.Subramanyam, S/o.Muniratnam while working as Jr.Asst., at the Border Check Post of Commercial Taxes, Palamaner, Chittoor District he committed grave misconduct in connivance with other staff working in the check post and engaged private persons for collecting mamools on behalf of the staff from the goods vehicle drivers passing through the check post and engaged a private person for official duty of operating the computer in issue of transit pass to the drivers, collection of user charges etc.

3. And whereas as the Written Statement of Defence submitted by the Charged Officer vide reference 3rd read above is not satisfactory, the Disciplinary Authority has ordered for a regular enquiry by appointing the Commercial Tax Officer-II Nandyal, Kurnool Division as Enquiry Authority. The Regular Enquiry Officer has

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submitted the Inquiry report vide reference 5th read above and held that the charge framed against Sri A.Subramanyam, Junior Assistant O/o.CTO, Tirupathi-II Circle (Charged Officer-3) as not proved. Pending finalization of the disciplinary proceedings the Charged Officer retired from service on 31-10-2010 on superannuation.

4. And whereas the disciplinary authority examined the Inquiry Report and observed that the Inquiry Officer is silent with regard to the possession of Rs.18,350/- with the three persons who were engaged privately and also failed to account for the excess cash of Rs.2,470/- which is available with the private computer operator engaged by the charged officer, hence disagreed with the findings of the Inquiry Authority and communicated the disagreement factors to the Charged Officer vide reference 6th read above under rule 21 (2) of A.P.C.S. (CCA) Rules, 1991. The Commissioner of Commercial Taxes, A.P., Hyderabad vide reference 8th read above submitted report to the Government along with the representation of the Charged Officer to the disagreement factors for taking further action against him under Rule 9 of A.P.Revised Pension Rules, 1980.

5. And whereas the Government after considering the material available on record and after examining the representation of the Charged Officer have provisionally decided to impose a punishment of 10% cut in pension for one (1) year against Sri A.Subramanyam, Junior Assistant, O/o CTO-II, Tirupathi, Chittoor District (Charged Officer-3) (now Retd.,) under rule 9 of AP.Revised Pension Rules, 1980 and communicated the same to Charged Officer vide reference 9th read above to submit his representation. The Charged Officer has submitted representation vide reference 10th read above re-iterating the contents earlier stated and requested to drop further action against him.

6. Government have examined the matter in detail and decided to confirm the provisional decision to impose above penalty against Sri A.Subramanyam, Junior Assistant, (Charged Officer-3) (now Retd.,) as he has not put forth any new grounds for consideration. The concurrence of the A.P.Public Service Commission has been obtained in the reference 12th read above (copy enclosed).

7. Government, after careful examination of the matter, hereby order to impose a punishment of 10% (ten percent) cut in pension for a period of one (1) year against Sri A.Subramanyam, Junior Assistant, (Charged Officer-3) (now Retd.,) under rule 9 of A.P.Revised Pension Rules, 1980.

8. The Commissioner of Commercial Taxes, A.P, Hyderabad shall take necessary further action in the matter, accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

S.P.SINGH
PRINCIPAL SECRETARY TO GOVERNMENT

To

Sri A.Subramanyam, Junior Assistant, (Retd.,) O/o.CTO-II, Tirupati, Chittoor District
through the Commissioner of Commercial Taxes, A.P, Hyderabad
The Commissioner of Commercial Taxes, A.P, Hyderabad
(with a request to serve the G.O on the individual and send the served copy with dated signature to Government)

Copy to:

The Secretary, A.P.Vigilance Commission, A.P., Hyderabad.
The Director General., Anti-Corruption Bureau., A.P., Hyderabad.
The Secretary, A.P. Public Service Commission, Hyderabad.
The Accountant General, AP, Hyderabad.
The Director, Treasuries & Accounts, A.P, Hyderabad.
The Dy.Commissioner, Commercial Taxes, Hyderabad.
The Revenue (CT.I) Department.
SF/SC.

//Forwarded :: By Order //

SECTION OFFICER.

